PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ne Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/932.666 Filing Date August 17, 2001 **TRANSMITTAL** First Named Inventor Dent, Paul W. **FORM** Group Art Unit 2645 <del>NOV-0-1-2004</del> (to be used for all correspondence after initial filing) **Examiner Name** Elahee, MD S Lechnology Center 260b Attorney Docket Number P14657-384 Total Number of Pages in This Submission ENCLOSURES (check all that apply) After Allowance Communication Fee Transmittal Form Drawing(s) to Group Fee Attached Licensing-related Papers Appeal Communication to Board Petition Ø of Appeals and Interferences Amendment / Reply Petition to Convert to a Appeal Communication to Group After Final **Provisional Application** (Appeal Notice, Brief, Reply Brief) Power of Attorney, Revocation Affidavits/declaration(s) Proprietary Information Change of Correspondence **Extension of Time Request** Status Letter Address **Express Abandonment Request** Other Enclosure(s) (please **Terminal Disclaimer** Information Disclosure Statement identify below): Request for Refund Certified Copy of Priority CD, Number of CD(s) **Documents** Response to Missing Parts/ Incomplete Application Remarks Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT **GREGORY A. STEPHENS** Firm **MOORE & VAN ALLEN** Individual Name Signature October 26, 2004 Date **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Patricia L. Pontello Signature October 26, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul W. Dent

Serial No.: 09/932,666

Filed: August 17, 2001

Group Art Unit: 2645

Examiner: Elahee, MD S

Title: SYSTEM AND METHOD FOR

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Confirmation No. 5094

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DETERMINING SHORT RANGE DISTANCES

BETWEEN RF EQUIPPED DEVICES

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Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Technology Center 2600

## RESPONSE TO OFFICE ACTION

Sir or Madam:

In response to the Office action of August 3, 2004, applicant amends the application as follows:

## In the Claims:

Please cancel claims 2, 7, 10, 12, 13, and 14.

1. (Currently Amended) A method of [automatically] determining the distance between a <u>portable wireless communication</u> [first RF equipped] device and [a second RF equipped device comprising] an RF equipped POS device based on <u>propagation delay between an RF signal and an acoustic signal that are emitted</u> from the portable wireless communication device and received by the RF equipped <u>POS device, the method comprising</u>:

establishing <u>an RF</u> [a radio][said first RF equipped device and said second RF equipped device] <u>link between the portable wireless communication device and the RF equipped POS device</u>;

in the portable wireless communication [said first RF equipped device] device: